

Employee Post-Travel Disclosure of Travel Expenses

Post-Travel Filing Instructions: Complete this form within **30 days** of returning from travel. Submit all forms to the **Office of Public Records in 232 Hart Building.**

Date/Time Stamp:

17 JUN 27 AM 11:34

In compliance with Rule 35.2(a) and (c), I make the following disclosures with respect to travel expenses that have been or will be reimbursed/paid for me. I also certify that I have attached:

- ☒ The original *Employee Pre-Travel Authorization* (Form RE-1), **AND**
☒ A copy of the *Private Sponsor Travel Certification Form* with all attachments (itinerary, invitee list, etc.)

Private Sponsor(s) (list all): Microsoft

Travel date(s): May 31, 2017 - June 2, 2017

Name of accompanying family member (if any): _____

Relationship to Traveler: ☐ Spouse ☐ Child

IF THE COST OF LODGING DID NOT INCREASE DUE TO THE ACCOMPANYING SPOUSE OR DEPENDENT CHILD, ONLY INCLUDE LODGING COSTS IN EMPLOYEE EXPENSES. (Attach additional pages if necessary.)

Expenses for Employee:

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
<input type="checkbox"/> Good Faith Estimate <input checked="" type="checkbox"/> Actual Amount	\$135.55 for ground shuttle transportation	\$473.34 (\$203 per night + tax and fees)	\$73.95 total for all meals	\$483.36 for roundtrip Alaska flight from Seattle to Washington D.C.

Expenses for Accompanying Spouse or Dependent Child (if applicable):

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
<input type="checkbox"/> Good Faith Estimate <input type="checkbox"/> Actual Amount				

Provide a description of all meetings and events attended. See Senate Rule 35.2(c)(6). (Attach additional pages if necessary.):

See attached agenda for description of all meeting and events attended during this trip.

6/26/17
(Date)

Erica Songer
(Printed name of traveler)

[Signature]
(Signature of traveler)

TO BE COMPLETED BY SUPERVISING MEMBER/OFFICER:

I have made a determination that the expenses set out above in connections with travel described in the *Employee Pre-Travel Authorization* form, are necessary transportation, lodging, and related expenses as defined in Rule 35.

6/27/17
(Date)

[Signature]
(Signature of Supervising Senator/Officer)

EMPLOYEE PRE-TRAVEL AUTHORIZATION

Date/Time Stamp:

Pre-Travel Filing Instructions: Complete and submit this form at least 30 days prior to the travel departure date to the **Select Committee on Ethics** in SH-220. Incomplete and late travel submissions will not be considered or approved. This form must be typed and is available as a fillable PDF on the Committee's website at ethics.senate.gov. Retain a copy of your entire pre-travel submission for your required post-travel disclosure.

Name of Traveler: Erica Songer

Employing Office/Committee: U.S. Senate Judiciary Committee, Senator Coons

Private Sponsor(s) (list all): Microsoft

Travel date(s): May 31-June 2, 2017

Note: If you plan to extend the trip for any reason you must notify the Committee.

Destination(s): Redmond, WA

Explain how this trip is specifically connected to the traveler's official or representational duties:

The purpose of this trip is to discuss innovation, lawful access, cyber crime, and privacy, which are issues that fall within my legislative portfolio as Chief Counsel for Senator Coons on the Senate Judiciary Committee.

Name of accompanying family member (if any): _____

Relationship to Employee: ☐ Spouse ☐ Child

I certify that the information contained in this form is true, complete and correct to the best of my knowledge:

4/26/17

(Date)

Erica Songer

(Signature of Employee)

TO BE COMPLETED BY SUPERVISING SENATOR/OFFICER (President of the Senate, Secretary of the Senate, Sergeant at Arms, Secretary for the Majority, Secretary for the Minority, and Chaplain):

I, Senator Coons hereby authorize Erica Songer
(Print Senator's/Officer's Name) (Print Traveler's Name)

an employee under my direct supervision, to accept payment or reimbursement for necessary transportation, lodging, and related expenses for travel to the event described above. I have determined that this travel is in connection with his or her duties as a Senate employee or an officeholder, and will not create the appearance that he or she is using public office for private gain.

I have also determined that the attendance of the employee's spouse or child is appropriate to assist in the representation of the Senate. (signify "yes" by checking box) ☐

4/27/17

(Date)

Chris Coons

(Signature of Supervising Senator/Officer)

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PRIVATE SPONSOR TRAVEL CERTIFICATION FORM

This form must be completed by any private entity offering to provide travel or reimbursement for travel to Senate Members, officers, or employees (Senate Rule 35, clause 2). Each sponsor of a fact-finding trip must sign the completed form. The trip sponsor(s) must provide a copy of the completed form to each invited Senate traveler, who will then forward it to the Ethics Committee with any other required materials. The trip sponsor(s) should **NOT** submit the form directly to the Ethics Committee. Please consult the accompanying instructions for more detailed definitions and other key information.

The Senate Member, officer, or employee **MUST** also provide a copy of this form, along with the appropriate travel authorization and reimbursement form, to the Office of Public Records (OPR), Room 232 of the Hart Building, within thirty (30) days after the travel is completed.

1. Sponsor(s) of the trip (please list all sponsors): Microsoft
2. Description of the trip: Microsoft is organizing this trip to highlight innovation, showcase emerging technologies, and discuss policy issues important to the technology sector
3. Dates of travel: May 31st-June 2nd, 2017
4. Place of travel: Washington DC to Redmond, WA
5. Name and title of Senate invitees: See attached attendee list. Accepting first 20 to RSVP
6. I *certify* that the trip fits one of the following categories:
☐ (A) The sponsor(s) are not registered lobbyists or agents of a foreign principal and do not retain or employ registered lobbyists or agents of a foreign principal and no lobbyist or agents of a foreign principal will accompany the Member, officer, or employee *at any point* throughout the trip.
OR
☒ (B) The sponsor or sponsors are not registered lobbyists or agents of a foreign principal, but retain or employ one or more registered lobbyists or agents of a foreign principal and the trip meets the requirements of Senate Rule 35.2(a)(2)(A)(i) or (ii) (*see question 9*).
7. ☒ I *certify* that the trip will not be financed in any part by a registered lobbyist or agent of a foreign principal.
AND
☒ I *certify* that the sponsor or sponsors will not accept funds or in-kind contributions earmarked directly or indirectly for the purpose of financing this specific trip from a registered lobbyist or agent of a foreign principal or from a private entity that retains or employs one or more registered lobbyists or agents of a foreign principal.
8. I *certify* that:
☒ The trip will not in any part be planned, organized, requested, or arranged by a registered lobbyist or agent of a foreign principal except for *de minimis* lobbyist involvement.
AND
☒ The traveler will not be accompanied on the trip by a registered lobbyist or agent of a foreign principal except as provided for by Committee regulations relating to lobbyist accompaniment (*see question 9*).

9. **USE ONLY IF YOU CHECKED QUESTION 6(B)**

I *certify* that if the sponsor or sponsors retain or employ one or more registered lobbyists or agents of a foreign principal, one of the following scenarios applies:

☐ (A) The trip is for attendance or participation in a one-day event (exclusive of travel time and one overnight stay) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *on any segment* of the trip.

OR

☒ (B) The trip is for attendance or participation in a one-day event (exclusive of travel time and two overnight stays) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *on any segment* of the trip (see questions 6 and 10).

OR

☐ (C) The trip is being sponsored only by an organization or organizations designated under § 501(c)(3) of the Internal Revenue Code of 1986 and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *at any point* throughout the trip.

10. **USE ONLY IF YOU CHECKED QUESTION 9(B)**

If the trip includes two overnight stays, please explain why the second night is practically required for Senate invitees to participate in the travel:

Attendees are flying from the east coast to the west coast and in order to participate in a full day of sessions they must arrive the day before and depart the day after.

11. ☒ An itinerary for the trip is attached to this form. I *certify* that the attached itinerary is a detailed (hour-by-hour), complete, and final itinerary for the trip.

12. Briefly describe the role of each sponsor in organizing and conducting the trip:

Microsoft is organizing and conducting this trip to highlight innovation, showcase emerging technologies and discuss policy issues important to the technology sector. As the Sponsor, Microsoft has planned the agenda, speaker sessions, and tours on the Microsoft Campus, along with trip logistics.

13. Briefly describe the stated mission of each sponsor and how the purpose of the trip relates to that mission:

Microsoft's mission is to empower every person and every organization on the planet to achieve more, particularly through Information Technology. This trip allows Microsoft to educate and engage Senate Staff on the policy implications of technology, with the goal to empower and enrich the lives of others.

14. Briefly describe each sponsor's prior history of sponsoring congressional trips:

Microsoft hosted a trip the last three years and previously hosted trips in the early 2000s.

15. Briefly describe the educational activities performed by each sponsor (other than sponsoring congressional trips):

Microsoft hosts various events (forums, receptions, roundtable discussions, internship programs, and tours) on its multiple campuses that educate and bring together business partners, employees, students, & the public focusing on areas of IT innovation, computer science education, products/devices, and more.

16. Total Expenses for Each Participant:

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses
<input checked="" type="checkbox"/> Good Faith estimate <input type="checkbox"/> Actual Amounts	See additional Page attached	\$203+tax/nt at Westin Seattle	See additional Page attached	n/a

17. State whether a) the trip involves an event that is arranged or organized *without regard* to congressional participation or b) the trip involves an event that is arranged or organized *specifically with regard* to congressional participation:

B - arranged specifically with regard to congressional participation.

18. Reason for selecting the location of the event or trip

Redmond, WA is the Global Headquarters for Microsoft and allows staff to meet with Microsoft researchers and technologists while also visiting/participating in tours like the Innovation lab.

19. Name and location of hotel or other lodging facility:

The Westin Hotel in Seattle

20. Reason(s) for selecting hotel or other lodging facility:

The per diem lodging rate is \$167 for May and \$240 for June. The daily lodging rate is \$203, the average of the May and June per diem. Thus, the total expense provided for hotel does not exceed the per diem lodging rate.

15. Briefly describe the educational activities performed by each sponsor (other than sponsoring congressional trips):

Microsoft hosts various events (forums, receptions, roundtable discussions, internship programs, and tours) on its multiple campuses that educate and bring together business partners, employees, students, & the public focusing on areas of IT innovation, computer science education, products/devices, and more.

16. Total Expenses for Each Participant:

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses
<input checked="" type="checkbox"/> Good Faith estimate <input type="checkbox"/> Actual Amounts	Transportation per person- \$546.59 for flights and \$135 for ground transportation; See additional Page attached	\$203+tax/nt at Westin Seattle	\$74 for meals; See additional Page attached	n/a

17. State whether a) the trip involves an event that is arranged or organized *without regard* to congressional participation or b) the trip involves an event that is arranged or organized *specifically with regard* to congressional participation:

B - arranged specifically with regard to congressional participation.

18. Reason for selecting the location of the event or trip

Redmond, WA is the Global Headquarters for Microsoft and allows staff to meet with Microsoft researchers and technologists while also visiting/participating in tours like the innovation lab.

19. Name and location of hotel or other lodging facility:

The Westin Hotel in Seattle

20. Reason(s) for selecting hotel or other lodging facility:

The per diem lodging rate is \$167 for May and \$240 for June. The daily lodging rate is \$203, the average of the May and June per diem. Thus, the total expense provided for hotel does not exceed the per diem lodging rate.

21. Describe how the daily expenses for lodging, meals, and other expenses provided to trip participants compares to the maximum per diem rates for official Federal Government travel:

Daily meal expenses meet per diem rates and lodging expenses meets the average per diem rate of May and June for official Federal Government travel.

22. Describe the type and class of transportation being provided. Indicate whether coach, business-class or first class transportation will be provided. If first-class fare is being provided, please explain why first-class travel is necessary:

Air travel is being provided, economy only. Alaska Flight 3V and Alaska Flight 4V. Ground transportation is also being provided from the airport to hotel to Microsoft Campus, to dinner, and return.

23. ☒ I represent that the travel expenses that will be paid for or reimbursed to Senate invitees do not include expenditures for recreational activities, alcohol, or entertainment (other than entertainment provided to all attendees as an integral part of the event, as permissible under Senate Rule 35).

24. List any entertainment that will be provided to, paid for, or reimbursed to Senate invitees and explain why the entertainment is an integral part of the event:

none.

25. I hereby *certify* that the information contained herein is true, complete and correct. (You must include the completed signature block below for each travel sponsor.):

Signature of Travel Sponsor: 

Name and Title: Mike Egan, Director of Government Affairs

Name of Organization: Microsoft

Address: One Microsoft Way, Redmond WA 98052

Telephone Number: 206 890 8707

Fax Number:

E-mail Address: mikeeg@microsoft.com

16.

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses
<input checked="" type="checkbox"/> Good Faith Estimate	Flights at \$546.59 per person Alaska Flight 3V Alaska Flight 4V Ground transportation \$135 per person transfer to and from Hotel, Microsoft, and dinner in Seattle on 6/1/17	\$203+tax/night at Westin Seattle	1 day of meals on 6/1, at \$74 (\$7.50 for breakfast, \$7.50 for lunch, \$45 for dinner + tax + gratuity); we will stay below the \$74 per diem per employee with our restaurants and at Microsoft.	N/A

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BRIAN SCHATZ, HAWAII
JEANNE SHAHEEN, NEW HAMPSHIRE

DEBORAH SUE MAYER, CHIEF COUNSEL AND STAFF DIRECTOR
EMILY GERSON, CHIEF CLERK

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SECOND AND CONSTITUTION AVENUE, NE
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United States Senate

SELECT COMMITTEE ON ETHICS

May 9, 2017

Erica Songer
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Ms. Songer:

This responds to your recent correspondence concerning an invitation you received to travel to Microsoft Headquarters, in Redmond, Washington on May 31-June 2, 2017, sponsored by Microsoft. Microsoft certified to the Select Committee on Ethics (the Committee) that it will pay the *necessary expenses*¹ related to the travel and that it is neither a lobbyist, nor lobbying firm, nor an agent of a foreign principal, and it is not otherwise acting as a representative or agent of a foreign government. However, Microsoft has certified that it is a private entity that retains or employs a registered lobbyist, and that no registered lobbyist will accompany you on *any segment of your trip*.²

Based on information and materials available to the Committee, and assuming the actual travel and travel-related expenses conform to the information and materials you provided, it appears that the proposed payment or reimbursement of necessary expenses for this one-day (exclusive of travel time and two overnight stays) trip may be accepted under relevant Senate Rules and the Committee's *Regulations and Guidelines for Privately-Sponsored Travel*, so long as at the time of the payment or reimbursement, Microsoft is neither a registered lobbyist nor lobbying firm under the Lobbying Disclosure Act of 1995, nor an agent of a foreign principal under the Foreign Agents Registration Act (and is not otherwise acting as a representative or agent of a foreign government), and provided the travel and all required documents are disclosed to the Secretary of the Senate in accordance with the provisions of Senate Rules 34 and 35.

Under Senate Rule 35, Senate staff must receive advance authorization signed by the Member or officer under whose direct supervision the individual works in order to accept payment or reimbursement for necessary expenses related to fact-finding travel. Further, such authorization and expenses must be disclosed to the Secretary of the Senate by filing the completed *Employee Pre-Travel Authorization* and the *Employee Post-Travel Disclosure of Travel Expenses* (Form RE-1 and Form RE-2), along with a copy of the *Private Sponsor Travel Certification Form*, and all relevant attachments (e.g., the private sponsor's invitation and

¹ The term "necessary expenses" has a specific definition. See *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel - Glossary of Terms* at 8.

² The term "any segment of your trip" has a specific definition. See *id.* at 3.

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itinerary) within 30 days of the conclusion of Privately-Sponsored Travel.

Finally, Senate Rule 34 requires a reporting individual,³ on his or her Financial Disclosure Report, to make an annual disclosure of the receipt of payments or reimbursements under Senate Rule 35 from a private sponsor for officially-related travel expenses where, in the aggregate, travel expenses exceed \$390 from that sponsor during a calendar year. However, if a Member, officer, or employee properly reports the receipt of necessary expenses for such travel to the Secretary of the Senate within 30 days of the travel, as discussed above, the travel expenses need not be disclosed a second time on their Financial Disclosure Report.

I hope you find this information helpful. If you have any additional questions, please do not hesitate to contact the Committee.

Sincerely,



Deborah Sue Mayer
Chief Counsel and Staff Director

Enclosure: Travel Checklist

³ A reporting individual is someone whose salary equals or exceeds 120% of the basic rate of pay for GS-15 (\$124,406 for CY 2017) or is a political fund designee and is required to file Financial Disclosure Reports.

First Name	Last Name	Email	Position
Liz	Amster	liz.amster@mail.house.gov	House
Sean	Snyder	sean.snyder@mail.house.gov	House
Ryan	Leavitt	ryan_leavitt@hatch.senate.gov	Senate
John	Eunice	John_Eunice@perdue.senate.gov	Senate
Kara	van Stralen	kara_vanStralen@hassan.senate.gov	Senate
Erica	Songer	Erica_Songer@judiciary-dem.senate.gov	Senate
James	Carstensen	james.carstensen@mail.house.gov	House
Mark	Henson	mark.henson@mail.house.gov	House
Anna	Hevia	Anna.Hevia@mail.house.gov	House
George	Fishman	george.fishman@mail.house.gov	House
Ashley	Gutwein	ashley.gutwein@mail.house.gov	House
Peter	Feldman	peter_feldman@commerce.senate.gov	Senate
James	Gee	james.gee@mail.house.gov ; Jaimee.Gilman@house.gov	House
Libby	Schneider	Liberty_Schneider@heitkamp.senate.gov	Senate

Party	Office	Title
D	Rep. Rice Colleen	LD
R	Rep. Charles Dent	Legislative Director
R	Sen. Orrin Hatch (R-UT)	Counsel
R	Sen. Perdue	LA
D	Hassan	Tech Advisor
D	Coons/Judiciary	Professional Staff
R	Rep. David Young	Rep. David Young
D	Rep. Jim Himes	Chief of Staff
D		
R	House Judiciary	Chief Counsel
R	Rep. Steve Chabot	IA
R	Senate Commerce (Thune)	Counsel
D	Rep. Bonnie Watson Coleman	Cos
D	Senator Heitkamp	Congressional Staffer (Science and Technology)

Agenda

Wednesday, May 31, 2017

- 6:50pm – 9:54pm Travel from Washington D.C. to Seattle
Alaska Flight AS 3 | *Departing at 6:50pm & Arriving at 9:54pm*
- 10:00pm – 10:30pm Travel from SeaTac Airport to Hotel
The Westin in Seattle - 1900 5th Ave, Seattle, WA 98101
- 10:30pm Check-in at Westin Hotel

Thursday, June 1, 2017

****Casual Attire****

- 7:00am – 7:45am **Travel from Westin Hotel to Microsoft Campus**
EBC, Room 8 - Building 33, 16070 NE 36th Way, Redmond, WA 98052
- 7:45am – 8:15am **Breakfast at the EBC and Introductions**
Mike Egan, Director Corporate Affairs
- 8:15am – 9:00am **Microsoft Translator Demo/MSR Discussion**
Olivier Fontana, Director of Product Strategy, Research-Machine Translation
- 9:00am – 9:45am **Policy Discussion on Lawful Access Issues**
Nate Jones, Assistant General Counsel, Trust Worthy Computing

Group 1	Group 2
9:45am – 10:00am: Bus to 92	9:45am – 10:45am: Envisioning Center Tour
10:00am – 12:00pm: HoloLens Demo	10:45am – 11:00am: Bus to RedWest C
	11:00am – 12:00pm: Digital Crimes Unit Tour
	12:00pm - 12:15pm: Bus to Commons
12:00pm – 12:15pm: Walk to Commons	

12:15pm – 1:15pm Lunch in the Commons

Group 2	Group 1
1:15pm-1:30pm- Walk to 92	1:15pm – 1:30pm: Bus to Red West C
1:30pm – 3:30pm: HoloLens Demo	1:30pm – 2:30pm: Digital Crimes Unit Tour
	2:30pm – 2:45pm: Bus to EBC
	2:45pm – 3:45pm: Envisioning Center Tour
3:30pm – 3:45pm: Bus to Building 87	3:45pm-4:00pm: Bus to Building 87

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4:00pm – 5:00pm	Microsoft Device Lab Tour <i>Building 87</i>
5:00pm – 6:00pm	Travel to Seattle for Dinner at Black Bottle <i>2600 1st Ave, Seattle, WA 98121</i>
6:30pm – 8:30pm	Dinner at Black Bottle, Policy Debrief & Round Table Discussion <i>TBD</i>

*** Casual Attire***

Friday, June 2, 2017

5:15am	Check-out of Westin Hotel
5:45am – 6:15am	Travel from Westin Hotel to SeaTac Airport
8:05am – 4:18pm	Travel from Seattle to Washington D.C. Alaska Flight AS 4 <i>Departing at 8:05am & Arriving at 4:18pm</i>